

ABC PROCESS SERVICE, INC.
 Attorney:
 COHEN MILSTEIN HAUSEFELD & TOLL,
 P.L.L.C.
 Index No. 253/08
 Date Filed 01/11/2008
 Office No. CMHT0174140

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

ANDREW F. ROSE, INDIVIDUALLY AND ON BEHALF: _____
 (PLAINTIFF)
 OF ALL OTHERS SIMILARLY SITUATED
 against
 (DEFENDANT)
 ACA CAPITAL HOLDINGS, INC., ETAL;

STATE OF NEW YORK, COUNTY OF NEW YORK SS: _____

JOSHUA NAVARRETTE being duly sworn, deposes and says
 that he is over the age of 18 years, not a party to the action, and resides in
 the State of New York:

That on the 17 day of January 2008 at 4:00 PM, at

140 BROADWAY, 47 FL; NEW YORK, NY 10005

he served the annexed SUMMONS IN A CIVIL ACTION AND COMPLAINT upon ACA CAPITAL
 HOLDINGS, INC., in this action, by delivering to and leaving with said MS.
 STACEY L. TYSON, MANAGING AGENT/ ASSOCIATE GENERAL COUNSEL a true copy thereof.
 Deponent describes person served as aforesaid to the best of deponents ability
 at the time and circumstances of service as follows:

Sex FEMALE, Color WHITE, Hair BROWN/RED, app. age 38 YRS, app. ht 5'4", app. wt
 135 LBS

DEPONENT FURTHER SAYS, that he knew the Corporation so served as aforesaid to be
 the Corporation mentioned and described in the said SUMMONS IN A CIVIL ACTION
 AND COMPLAINT.

SWORN to before me this 24
 day of January 2008


 JOSHUA NAVARRETTE
 License No.: 1232814 :bb

JAY BRODSKY
 Notary Public, State of New York
 No. 31-4683271
 Qualified in New York County
 Commission Expires Feb 2, 2011